

# BIRCH STEWART, KOLASCH & BIRCH, LLP

## COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO.

1131-0462P

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

### FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor ( if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

ANGLE MEASUREMENT DEVICE

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_; and /or

the specification was filed on \_\_\_\_\_ as PCT  
International Application Number \_\_\_\_\_; and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority  
Information:  
(if appropriate)

#### ➡ Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

Insert Provisional  
Application(s):  
(if any)

(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)
_____	_____

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Japan Country 2000-329100 Date of Filing (Month/Day/Year) 10/27/2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Insert Prior U.S.  
Application(s):  
(if any)

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Terrell C. Birch (Reg. No. 19,382)  
Joseph A. Kolasch (Reg. No. 22,463)  
Bernard L. Sweeney (Reg. No. 24,448)  
Charles Gorenstein (Reg. No. 29,271)  
Leonard R. Svensson (Reg. No. 30,330)  
Andrew D. Meikle (Reg. No. 32,868)  
Joe McKinney Muncy (Reg. No. 32,334)  
C. Joseph Faraci (Reg. No. 32,350)

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James M. Slattery (Reg. No. 28,380)  
Michael K. Mutter (Reg. No. 29,680)  
Gerald M. Murphy, Jr. (Reg. No. 28,977)  
Terry L. Clark (Reg. No. 32,644)  
Marc S. Weiner (Reg. No. 32,181)  
Andrew F. Reish (Reg. No. 33,443)  
Donald J. Daley (Reg. No. 34,313)

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole  
Inventor:  
Insert Name of Inventor  
Insert Date This  
Document is Signed

Insert Residence  
in  
Insert Citizenship

Insert Post Office  
Address

Full Name of Second  
Inventor, if any:

see above

Name of Third  
Inventor, if any

see above

Full Name of Fourth  
Inventor, if any

see above

Full Name of Fifth  
Inventor, if any

see above

GIVEN NAME Kazuko	FAMILY NAME HIMENO	INVENTOR'S SIGNATURE <i>Kazuko Himeno</i>	DATE Dec. 19, 2001
Residence (City, State & Country) Sapporo-shi, Hokkaido, Japan		CITIZENSHIP Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 1-4, Tomiokagojo 3-chome, Teine-ku, Sapporo-shi, Hokkaido, Japan			
GIVEN NAME Hiroshi	FAMILY NAME HIMENO	INVENTOR'S SIGNATURE <i>Hiroshi Himeno</i>	DATE Dec. 19, 2001
Residence (City, State & Country) Sapporo-shi, Hokkaido, Japan		CITIZENSHIP Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 1-4, Tomiokagojo 3-chome, Teine-ku, Sapporo-shi, Hokkaido, Japan			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

DATE OF SIGNATURE

Applicant or Patentee: Kazuko HIMENO and Hiroshi HIMENO

Attorney's

Docket No.: 1131-0462P

Serial or Patent No.: New

Filed or Issued: \_\_\_\_\_

For: \_\_\_\_\_

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §§ 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

☒ the owner of the small business concern identified below:

☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN HAKUSUI TRADING CO., LTD.

ADDRESS OF CONCERN 1-15, Niitaka 1-chome, Yodogawa-ku, Osaka-shi,  
Osaka, Japan

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ANGLE MEASUREMENT DEVICE by inventor(s)

Kazuko HIMENO and Hiroshi HIMENO  
described in

☒ the specification filed herewith

☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e). \*NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME Kazuko HIMENO

ADDRESS 1-4, Tomiokagojo 3-chome, Teine-ku, Sapporo-shi, Hokkaido,  
☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION Japan

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Tomiko NAKAYAMA

TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_

ADDRESS OF PERSON SIGNING c/o HAKUSUI TRADING CO., LTD, 1-15, Niitaka 1-chome,  
Yodogawa-ku, Osaka-shi, Osaka, Japan

SIGNATURE Tomiko Nakayama

DATE Dec. 19, 2001

1.0029563-123101

INDEPENDENT INVENTOR

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS ( 37 CFR 1.9(c) ) and 1.27(b) - INDEPENDENT INVENTOR

Docket No.: 1131-0462P

Applicant or Patentee: Kazuko HIMENO and Hiroshi HIMENO

Serial or Patent No.: New

Filed or Issued: \_\_\_\_\_

Title: ANGLE MEASUREMENT DEVICE

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 35 USC 41(a) and 41(b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in

- 1.a. ☒ the application filed herewith; or
- b. ☐ application above identified; or
- c. ☐ patent above identified.
- 2. ☐ I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention.
- 3. ☐ Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention, and who is entitled to pay reduced fees under 35 USC 41(a) and 41(b), is listed below:

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME HAKUSUI TRADING CO., LTD.

ADDRESS 1-15, Niitaka 1-chome, Yodogawa-ku, Osaka-shi, Osaka, Japan

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
Kazuko HIMENO		
Signature of Inventor	Signature of Inventor	Signature of Inventor
<i>Kazuko Himeno</i>		
Date	Date	Date
Dec. 19, 2001		

1002993-123101